

PAUL DEPETRILLO
CHAIRMAN



FRANK J. PICOZZI
MAYOR

POSTED 1/4/2022

**CITY OF WARWICK
ZONING BOARD OF REVIEW
WARWICK, RHODE ISLAND 02886
(401) 921-9534**

**WARWICK ZONING BOARD OF REVIEW
MINUTES OF THE NOVEMBER 9, 2021 MEETING**

A regular hearing of the Warwick Zoning Board of Review was held on Tuesday, November 9, 2021 at 6:00 P.M. in the Lower Level Conference Room, Warwick City Hall, 3275 Post Road, Warwick, Rhode Island. The meeting was called to order by Chairman Paul DePetrillo.

The Secretary called the roll and noted the following members were present:

Present: Paul DePetrillo - Chairman
Robert DeGregorio – Vice-Chairman
Salvatore Deluise
Lorraine Byrne
Walter Augustyn
Constance Beck – Alternate

Absent: Julie Finn – Alternate

Also present: David Petrarca, Esq., City Solicitor
Daniel Geagan, Warwick Planning Department
Mary Ellen Hall - Stenographer
Amy Cota, Secretary

The Chairman asked if there were any petitions to be WITHDRAWN or CONTINUED. There being none, the Chairman called the first petition.

Petition #10752

Ward 3

1850 Post Rd.

The petition of Landing Partners, LLC, 600 Madison Ave., 24th Floor, New York, NY, and SHIVA, LLC, 655 Washington Street, Weymouth, MA, request a dimensional variance to convert the existing hotel into 203 dwelling units, having less than required parking spaces, and less than required driveway/travel width. Assessor's Plat 322, Lot 339, zoned Gateway (G).

K. Joseph Shekarchi, Esq. was present and representing the petitioners.

Daniel Geagan from the Planning Department read the recommendations into the record.

Attorney Shekarchi stated he reviewed the stipulations, and his client agrees to all stipulations presented.

Attorney Shekarchi stated the petitioners are here tonight for parking relief only. There is a critical need for housing in the City, and the proposal is to convert the existing hotel into 203 dwelling units. There were concerns raised about the ratio of parking not being sufficient to support the 203 dwelling units, but after working with the Planning Department, the petitioner's agreed to reduce the number of units from 203 to 181 units, which is comparable to other apartment complexes in the city.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio stated the hardship is unique due to the use formerly being a hotel, it won't alter the general characteristics of the surrounding area, and the conversion will help economics in the area. The motion was seconded by Lorraine Byrne, and passed unanimously by the Board that the petition be GRANTED WITH STIPULATIONS.

Petition #10746

Ward 8

800 Toll Gate Rd.

The petition of Warwick Family Dental Group, LLC & MSS Twelve Realty, LLC, 800 Toll Gate Rd., Warwick, RI, requests an amendment to a previously approved petition to convert the attached garage into additional patient rooms, and a lab for the existing dentist office. Assessor's Plat 260, Lot 43, zoned Residential A-40.

K. Joseph Shekarchi, Esq. was present and representing the petitioners.

Attorney Shekarchi stated the property was previously granted approval from this Board to utilize the property as a dental office. The petitioners are looking to expand the dental practice by converting the attached garage into additional patient rooms and a dental lab.

Lorraine Byrne asked if the property was connected to sewers.

Munal Salem, Petitioner, was present and sworn in by the Chairman.

Mr. Salem stated they are in favor of connecting to city sewers, but it is their understanding sewers are not available in that area of Toll Gate Road.

The petitioners agreed to the stipulation that if sewers become available, they will connect.

Ms. Byrne stated according to the plans, it looks like they are adding two chairs in that back patio area. She asked if the patio area is currently utilized. Mr. Salem stated it is currently occupied as a private office for the doctor.

Ms. Byrne stated she went by the subject property earlier in the day, and the parking lot was full. She asked if all of these areas were included in the parking calculations.

Mark Chase, West Brookfield, MA, was present and sworn in by the Chairman.

Attorney Shekarchi stated Mark Chase prepared and put together the application.

Mr. Chace stated he did include all of the areas in the parking calculations.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio stated the petitioners agreed to the stipulation to connect to sewers should they become available, and made a motion to approve the petition, seconded by Lorraine Byrne, and passed unanimously by the Board that the petition be GRANTED WITH STIPULATIONS.

Petition #10749

Ward 2

151 Airport Rd.

The petition of Kech Chiv, 151 Airport Rd., Warwick, RI, requests a special use permit to convert the existing office to a hair salon. Also seeking a dimensional variance to have a free-standing sign with less than required front yard setback. Subject property being a pre-existing non-conforming lot. Assessor's Plat 312, Lot 253, zoned Office (O).

K. Joseph Shekarchi, Esq. was present and representing the petitioner.

Attorney Shekarchi stated this is a pre-existing non-conforming lot previously utilized as an office on the first floor with one apartment on the second floor.

The petitioner is proposing to convert the office space on the first floor to a hair salon, which is allowed by a special use permit approved by this Board.

The petitioner is also seeking a dimensional variance to install a free-standing sign, having less than required front yard setback. The proposed sign will have a setback of five feet (5'), the required setback is ten feet (10').

The Chairman stated he has heard from a couple of neighbors who are in favor of this petition.

The Chairman asked if there was anyone present in favor or in opposition of the petition. There being none, Robert DeGregorio stated the conversion won't alter the general characteristics of the surrounding area, and made a motion to approve the petition, seconded by Salvatore Deluise and passed unanimously by the Board that the petition be GRANTED.

Petition #10747

Ward 4

54 Eton Ave.

The petition of Mark Paesano, 54 Eton Ave., Warwick, RI, requests a dimensional variance to construct a 10' x 12' bedroom addition, having less than required side yard setback; and a 5' x 12' addition to the expand the existing living room, having less than required front yard and side yard setbacks. Subject property being a pre-existing, undersized lot. Assessor's Plat 317, Lot 82, zoned Residential A-7.

Mark Paesano, Petitioner, 54 Eton Ave., Warwick, RI, was present and sworn in by the Chairman.

Robert DeGregorio asked why the petitioner started construction without the proper permits. Mr. Paesano stated his contractor had applied for the permit, but began work before the permit was issued. He received a violation letter, and stated he takes the blame.

Mr. Paesano stated that sewers were available, and he has since connected to them.

Mr. Paesano stated his son and daughter share a bedroom. The bedroom addition is being constructed so his daughter can have her own bedroom. He apologized to the Board for proceeding without the proper approvals.

The proposed bedroom addition will have a side yard setback of 6.7' (8' required), and the proposed living room addition will have a side yard setback of 7.2' (8' required).

The Chairman asked if there was anyone present in favor or in opposition of the petition. There being none, Robert DeGregorio stated he sees the need for the expansion, the petitioner agreed to the stipulations placed on the approval, and Mr. DeGregorio made a motion to approve the petition, seconded by Salvatore Deluise, and passed unanimously by the Board that the petition be GRANTED WITH STIPULATIONS.

Petition #10748

Ward 3

155 Plan Way

The petition of Rhode Island Society for the Prevention of Cruelty to Animals, 186 Admiral St., East Providence, RI, and Plan International USA, Inc., 155 Plan Way, Warwick, RI, requests a dimensional variance to convert the existing commercial structure to an animal shelter, veterinarian clinic, administrative offices, and an outdoor

animal exercise area for RISPCA. Subject property having less than required parking spaces. Assessor's Plat 279, Lot 35, zoned General Industrial (GI).

Wayne M. Kezirian, Esq. was present and representing the petitioners.

Attorney Kezirian stated the SPCA is known for providing shelter, daycare, and vet clinics to low income families, they have a scholarship program. They currently occupy space in East Providence, and they are bursting at the seams.

The proposal is to occupy the subject property, and would like two outdoor pens. Both pens will be situated in the back of the building. They will also be removing twenty parking spaces to increase the landscaping.

Robert DeGregorio asked how many employees will be employed at this location.

Attorney Kezirian stated they will have approximately 35-40 employees.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio made a motion. He stated the use is appropriate, and it will not alter the general characteristics of the structure or surrounding area, seconded by Lorraine Byrne, and passed unanimously by the Board that the petition be GRANTED.

Petition #10750

Ward 6

1078 Buttonwoods Ave.

The petition of Jeffrey & Linda Curhan, 1078 Buttonwoods Ave., Warwick, RI, request a dimensional variance to install a new 12' x 16' shed having less than required front yard and side yard setbacks. Subject property being a pre-existing, undersized non-conforming lot. Assessor's Plat 374, Lot 4, zoned Residential A-40 (Previously zoned Residential A-15).

Linda Curhan, Petitioner, 1078 Buttonwoods Ave., Warwick, RI, was present and sworn in by the Chairman.

Ms. Curran stated they have a very small with a wrap-around porch. They are beekeepers and proposing to install a 12' x 16' shed to keep their supplies in. She stated the shed will be in character with the neighborhood, it will have flower window boxes.

The Chairman mentioned he went by the property, and agrees the proposed location of the shed will be the best location on the property.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio made a motion. He stated the placement of the shed makes sense, it's a small lot, and it won't alter the general characteristics of the area. The motion was seconded by Salvatore Deluise, and passed unanimously by the Board that the petition be GRANTED.

Petition #10751

Ward 4

165 Beach Ave.

The petition of Crossroads Rhode Island, 160 Broad St., Providence, RI, requests a dimensional variance and a special use permit to modify previous approval (6/21/2006) to increase the number of affordable housing units from seven (7) units to eleven (11) units by converting the unused emergency shelter on the first floor into four (4) affordable living units. Existing building, use, parking and landscaping requirements previously approved by this Board. Assessor's Plat 331, Lot 278, zoned Residential A-7.

Michael Crane, Esq. was present and representing the petitioners.

Michelle Wilcox, from Crossroads, 373 Hopkins Hill Rd., Coventry, RI, was present and sworn in by the Chairman.

Daniel Geagan from the Planning Department read the recommendations into the record.

The petitioner's agreed to the stipulations placed on the approval.

Attorney Crane stated he is here on behalf of Crossroads Rhode Island. This Board has granted previous approvals for the subject property's current use. There are currently seven (7) units total; six (6) units on the second floor, and (1) handicap unit on the first floor. They are proposing to convert the existing unused emergency shelter on the first floor into four (4) additional affordable living units for a total of eleven (11) units.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio made a motion, he stated the city is in need of affordable housing, there will be no changes to the existing footprint, and they are utilizing unused space within the structure. The motion was seconded by Salvatore Deluise and passed unanimously by the Board that the petition be GRANTED WITH STIPULATIONS.

A motion was made by Robert DeGregorio, seconded by Salvatore Deluise and passed unanimously by the Board to adjourn the regular meeting at 6:52 p.m.

BY ORDER OF THE ZONING BOARD OF REVIEW, WARWICK, RHODE ISLAND

Paul DePetrillo, Chairman